



W.P.Nos.15255 of 2019 & 505 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.Nos.15255 of 2019 & 505 of 2021

and

WMP.Nos.15244 of 2019 & 28238 of 2021

The Management,
C.R.I.Pumps (P) Limited,
Rep. by its Associate Vice President – Human Resources,
S.Saravanan,
No.7/46-1, Keeranatham Road,
Saravanampatti, Coimbatore - 641035. ...Petitioner in WP.No.15255/2019

P.Saravanakumar ...Petitioner in WP.No.505/2021

Vs.

The Management of CRI Pumps (P) Limited,
7/46-1, Keeranatham Road,
Saravanampatti, Coimbatore – 641035. ...Respondent in WP.No.505/2021

P.Saravanakumar ...Respondent in WP.No.15255/2019

Prayer in W.P.No.15255 of 2019: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the Additional Labour Court, Coimbatore in I.D.No.113 of 2013 and quash its Award dated 18.02.2019.



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Prayer in W.P.No.505 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records from the learned Additional Labour Court, Coimbatore pertaining to the award dated 18.02.2019 in I.D.No.113/2013, insofar as denying and depriving the petitioner 75% back wages, quash the same and consequently direct the respondent management to pay the petitioner 75% back wages, in addition to the relief already granted in the award.

For Petitioner : Mr.S.Ravindran, Sr.C
for Mr.S.Bazeerahamed
(in W.P.No.15255 of 2019)
: Mr.V.Ajay Khose
(in W.P.No.505 of 2021)

For Respondent : Mr.V.Ajay Khose
(in W.P.No.15255 of 2019)
: Mr.S.Ravindran, Sr.C
for Mr.S.Bazeerahamed
(in W.P.No.505 of 2021)

COMMON ORDER

Since the issue involved in both the Writ petitions are similar in nature, they are disposed of by way of this common order.

2. For brevity, the petitioner in W.P.No.15255 of 2019 is referred as management and the petitioner in W.P.N.505 of 2021 is referred as workman and both the management and workman have come up these Writ petitions, seeking quashment of the award dated 18.02.2019 passed by the Additional Labour Court, Coimbatore in I.D.No.113 of 2013.



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3. The facts leading to filing of these Writ petitions are as follows:-

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The management was engaged in the manufacture of tools and dyes and a production development centre was established in the year 2001 at Chinnavedampatti, Coimbatore and the same was subsequently, shifted to Coimbatore Industrial Infrastructure Association (for short COINDIA), K.R.Puram, Coimbatore and the workman herein joined the services of the management as Office boy in the year 2001. Thereafter, the manufacture of tools and dyes were discontinued by the management and by August 2010, there were few orders for development of new products and a majority of 35 workmen who were lastly employed, resigned and left the services of the management. Therefore, the management, vide order dated 08.04.2013, terminated the services of the 11 workmen who were lastly employed with them and their legal dues including the retrenchment compensation and gratuity were settled. While so, seven workmen including the workman herein raised industrial disputes before the Labour Court and the ID raised by the workman herein was numbered as I.D.No.113 of 2013 and after contest, the Additional Labour Court, Coimbatore passed the present impugned award, directing the management to reinstate the workman with 25% back wages along with continuity of service and other attendant



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benefits and further directed the workman to return the full and final settlement amount and gratuity amount already deposited by the management in the bank account, to the management. Challenging the same, these Writ petition have been filed.

3. Heard learned counsel on either side and perused the material documents placed on record.

4. Though very many grounds have been raised, at the time of arguments, the learned counsel appearing for the management as well as the workman fairly submitted that, the similarly situated persons were paid with a sum of Rs.4,75,000/- as full quit and the learned counsel appearing for the management further submitted that, considering the length of the service rendered by the workman herein, the management is ready to pay a sum of Rs.5,50,000/- as full quit towards full and final settlement.

5. In view of the above submission made by the learned Senior counsel for the management, this Court, without going into the merits of the case, directs the management to pay a sum of Rs.5,50,000/- as full quit to



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the workman herein within a period of four weeks from the date of receipt of a copy of this order.

6. Accordingly, the impugned award is modified in the above terms and the Writ petitions filed by both the management and the workman stand disposed of. No costs. Consequently, the connected Miscellaneous petitions are closed.

17.08.2023

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NCC	: Yes/ No
Speaking Order	: Yes/ No
Index	: Yes/ No



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